

**REMARKS**

Claims 15 and 51-53 are pending in the application. Claims 48-50 are cancelled. Claim 15 is herewith amended, support for which is found, *inter alia*, at page 32, lines 7-16 of the specification. Claims 51-53 are added, support for which is found, *inter alia*, at page 32, lines 17-29, at page 77, lines 15-21 and page 33, lines 1-16, of the specification, respectively. No new matter is added. Entry of the Amendment is therefore respectfully requested.

**I. Claims 15 Is Adequately Supported Under 35 U.S.C. § 112, First Paragraph**

At page 2 of the Office Action, the Office rejects claims 15 and 48-50 under 35 U.S.C. §112, first paragraph, as allegedly adding new matter.

To advance prosecution, Applicants herewith amend claim 15 thereby overcoming the rejection. Applicants cancel claims 48-50 without prejudice or disclaimer thereby rendering the rejection as to these claims moot.

Withdrawal of the new matter rejection is therefore kindly requested.

**II. Claim 15 is Adequately Described Under 35 U.S.C. §112, First Paragraph**

At page 3 of the Office Action, the Office rejects claim 15 under 35 U.S.C. §112, first paragraph, as lacking a written description.

To advance prosecution, Applicants herewith amend claim 15 thereby overcoming the rejection.

Withdrawal of the lack of written description rejection is therefore kindly requested.

**III. Claim 15 is Enabled Under 35 U.S.C. § 112, First Paragraph**

At page 5 of the Office Action, the Office rejects claim 15 under 35 U.S.C. §112, first paragraph as allegedly lacking enablement. The Office admits that the specification is enabled

**AMENDMENT UNDER 37 C.F.R. § 1.116**  
**U.S. Application No. 10/527,708 (Q101073)**

for a method of screening for a compound or its salt that inhibits the expression of an RNA encoding a protein comprising the amino acid sequence set forth as SEQ ID NO:1, said method comprising hybridizing an antisense molecule or ribozyme to RNA of a gene encoding a protein comprising the amino acid sequence set forth as SEQ ID NO:1, thereby inhibiting the function of said RNA.

Solely to advance prosecution, Applicants herewith amend claim 15 thereby overcoming the rejection.

Withdrawal of the lack of enablement rejection is therefore kindly requested.

**IV. Claim 15 is Novel Under 35 U.S.C. §102**

At page 7 of the Office Action, the Office rejects claim 15 under 35 U.S.C. §102(e) as allegedly being anticipated by Meyers et al. (U.S. Publication No. 2002/0034780).

Applicants disagree. Solely to advance prosecution, Applicants herewith amend claim 15 thereby overcoming the rejection. Meyers et al. do not disclose a step of assaying the degree of changes in nerve fibers to determine the neurofibrillary degeneration promoting activity (i.e., step (iii), claim 15); assaying the degree of axonal degeneration, the mitochondrial respiratory activity, the LDH level in the culture supernatant or the DNA break level to determine the cell death promoting activity (i.e., step (iii), claim 51); assaying the binding of said protein to Akt1 protein within the cells (i.e., step (iii), claim 52); or measuring the reporter expression level using the reporter protein activity (i.e., step (iii), claim 53).

Withdrawal of the anticipation rejection is therefore kindly requested.

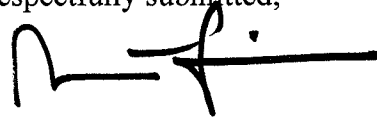
In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

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Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The U.S. Patent and Trademark Office is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'W. J. Simmons', written over a horizontal line.

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